

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Reich, et al.  
Application No. : 10/699,557  
Group Art Unit : 1642  
Examiner : Sean McGarry  
Confirmation No. : 7768  
Filing Date : October 31, 2003

For: COMPOSITIONS AND METHODS FOR SIRNA INHIBITION OF HIF-1 $\alpha$

**RESPONSE TO NOTICE OF NON-COMPLIANT RESTRICTION REQUIREMENT RESPONSE**

Commissioner for Patents  
Washington, D.C. 20231

This is a response to the Notice of Non-Compliant Amendment dated March 22, 2007 issued in response to the Response to the Supplemental Restriction requirement issued dated December 4, 2007 in the above identified application. Applicant elects, with traverse, the following species:

- (i) Claim 39- liposomes as the delivery agent;
- (ii) Claim 42- ligand that binds to receptors on vascular endothelial cells as the ligand;
- (iii) Claim 47- recombinant viral vector as the vector;
- (iv) Claims 48 and 50- adeno-associated viral vector as the viral vector;
- (v) Claim 49- vesicular stomatitis virus as the psuedotyped viral vector;
- (vi) Claims 53- parenteral as the mode of administration;
- (vii) Claim 54- intraocular as the mode of parenteral administration; and

(viii) Claims 68- age-related macular degeneration as the angiogenic disease.

The Office Action set forth a one-month shortened statutory period for reply. Accordingly, this response is timely filed and is fully responsive to the Office Action.

**Claims** begin on page 3.

**Remarks** being on page 13.